

27 JANUARY 1948

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of
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27 JANUARY 1948

I N D E X

of

EXHIBITS

<u>Doc.</u> <u>No.</u>	<u>Def.</u> <u>No.</u>	<u>Pros.</u> <u>No.</u>	<u>Description</u>	<u>For</u> <u>Ident.</u>	<u>In</u> <u>Evidence</u>
3294		3855	Certificate of the Military Topographic Department of the USSR General Staff with geographical maps published in different countries of the world attached thereto which show the correct border line in the Khalkin-Gol Area		38344
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Tuesday, 27 January 1948

- - -

INTERNATIONAL MILITARY TRIBUNAL
FOR THE FAR EAST
Court House of the Tribunal
War Ministry Building
Tokyo, Japan

The Tribunal met, pursuant to adjournment,
at 0930.

Appearances:

For the Tribunal, all Members sitting, with
the exception of: HONORABLE JUSTICE JU-AO MEI, Member
from the Republic of China, not sitting from 1300 to
1600.

For the Prosecution Section, same as before.
For the Defense Section, same as before.

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(English to Japanese and Japanese
to English interpretation was made by the
Language Section, IMTFF.)

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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now in session.

3 THE PRESIDENT: All the accused are present
4 except SHIRATORI, who is represented by counsel. We
5 have a certificate from the prison surgeon at Sugamo
6 certifying that he is ill and unable to attend the
7 trial today. The certificate will be recorded and
8 filed.

9 General Vasiliev. You had not finished
10 reading that affidavit. I did not appreciate that
11 fact yesterday afternoon when we adjourned.

12 - - -

13 K U Z M A Y. G R E B E N N I K, called as a
14 witness on behalf of the prosecution, resumed the
15 stand and testified through Russian interpreters
16 as follows:

17 DIRECT EXAMINATION

18 GENERAL VASILIEV: Now the interpreters will
19 continue translating the English version.

20 "7. The border was restored and is now
21 being guarded just as it was prior to the outbreak of
22 hostilities. It runs as provided for by the Hunchun
23 Protocol of 1886 along the watershed, i.e., along the
24 hilltops which form a mountain range on the western
25 bank of Lake Khassan. The eastern slope of the

GREBENNIK

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1 Zaozernaya Hill belongs to the Soviet Union while
2 the western slope is Manchurian.

3 "To determine the border on the terrain in
4 that area is no problem, and our border guards knew
5 precisely where the border ran. Both before and after
6 the fighting in the vicinity of Lake Khassan this
7 border line was in full conformity with the data as
8 shown on the map attached to the Hunchun Protocol
9 of 1886.

10 "Major-General Grebennik."

11 I ask that the witness be shown exhibit
12 No. 2642-B.

13 (Whereupon, a document was handed to
14 the witness.)

15 GENERAL VASILIEV: This is a sketch map
16 produced by the defense during the examination of the
17 witness MIURA, Kazuichi, the sketch map of operations
18 in the vicinity of Lake Khassan on July 29, 1938.

19 I may explain to you, Mr. Witness, that
20 according to the testimony of former Japanese General
21 TANAKA, Ryukichi, heavy semi-circles indicate Soviet
22 trenches--
23

24 THE PRESIDENT: Well, now he knows something.
25 He would have to be told that the semi-circles indicate
Soviet trenches.

1 MR. FURNESS: That is my objection, sir.

2 THE PRESIDENT: Major Furness.

3 MR. FURNESS: If the Court please, I object
4 to the asking of additional questions. An elaborate
5 affidavit has been prepared and could have covered
6 this subject; and on the basis of previous rulings
7 by this Court I object to additional testimony in this
8 form.

9 THE PRESIDENT: I do not recollect that we
10 have ever refused to allow one or two additional
11 questions. Certainly a number of questions would be
12 objectionable.

13 MR. FURNESS: I refer to the rulings made
14 by the Tribunal when the witness Batarshin was called
15 to the witness stand. These rulings were made both on
16 the direct examination of the witness and on the re-
17 direct examination by Colonel Ivanov.

18 THE PRESIDENT: I would have to look at the
19 transcript to see whether that ruling covers this
20 particular case. I see no objection to asking one or
21 two questions and we have never refused that. The
22 purpose of requiring an affidavit would be defeated,
23 of course, if we allowed several questions to be asked.

24 MR. FURNESS: That was the basis for rulings--

25 GENERAL VASILIEV: May I say a few words, sir?

1 THE PRESIDENT: We have decided to allow
2 the question.

3 BY GENERAL VASILIEV (Continued):

4 Q I will explain to you, Mr. Witness, that
5 according to the testimony of former Japanese General
6 TANAKA, Ryukichi, heavy semi-circles indicate Soviet
7 trenches. The sign to the right of the summit from
8 which a line is drawn to the inscription July 11
9 indicates a Soviet tank and the cross signs indicate
10 the places of clashes between the Soviet and Japanese
11 troops. This sketch map was drawn up allegedly on
12 July 29 or 30 by a staff officer of the Korean Army,
13 one Major SAITO, for MIURA, Kazuichi. Are the signs
14 on the sketch map clear to you?

15 A This sketch map is drawn up in a very pre-
16 mature way and it doesn't correspond to the established
17 rules of topography -- elementary rules of topography.

18 Q Does this map correspond to the actual state
19 of affairs from July 11 to July 29, 1938?

20 A As I understood from what you were saying,
21 the heavy semi-circle lines indicate the Soviet trenches
22 and east of the Zaozernaya Hill a Soviet tank is shown.
23 This sketch map doesn't correspond to the actual state
24 of affairs in that area because prior to July 29 in the
25 Khassan Lake area there were no clashes, and prior to

1 the morning of July 31 there were no military clashes
2 on the Zaozernaya Hill as well. As to the clash
3 which is shown on the map and pertains to July 11,
4 it doesn't correspond to the actual occurrence in
5 that area.

6 Q Mr. Witress, when did the Soviet side
7 commence fortification works on the Zaozernaya Hill
8 and what kind of works?

9 A No fortification works were carried on on
10 the Zaozernaya Hill because it is categorically for-
11 bidden by the instruction of the Chief of Department
12 of the Border Guard Corps of the USSR and that would
13 have shown contempt to the neighboring state. As to
14 the trenches which are shown west of the state border
15 line, that doesn't correspond to the actual state of
16 affairs because the Soviet border guards never crossed
17 the border line. Such actions, that is, the crossing
18 of the state border line, would have violated the
19 sovereignty of the neighboring state, which we always
20 respect.

21 The tank which is shown east of the hill is
22 a pure invention because prior to July 31 there were
23 no tanks in the Lake Khassan area within the zone of
24 60-70 kilometers; and any man with an elementary know-
25 ledge of military questions who could read a map would

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1 have drawn the conclusion that a tank couldn't
2 approach that place because the eastern slope of the
3 Zaozernaya Hill is very steep, more than forty-five
4 degrees, and this place is not accessible to tanks.
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1 Q Have you completed your answer?

2 A And, therefore, this sketch map doesn't
3 correspond to the actual state of affairs and is a
4 pure invention.

5 Q I have a last question for you. When was
6 the Soviet border guard outpost established on the
7 Zaozernaya Hill?

8 A The post of the Soviet border guards was
9 established on the Zaozernaya Hill from the time of
10 the Soviet Border Guard Corps was established. Ac-
11 cording to the instruction of the Chief of the
12 Department of the Soviet Border Guard Corps the
13 state borderline is guarded by the Soviet border
14 guard troops constantly, day and night, on the whole
15 length of the borderline. That is, each meter of the
16 state borderline is constantly guarded -- of the
17 Soviet state borderline. In 1937, when I took over
18 the sector of the borderline which was guarded by the
19 59th Border Guard Detachment, I was on the Zaozernaya
20 Hill, and I personally saw their border guard posts,
21 and I inspected how well they new their task.

22 GENERAL VASILIEV: The defense may now cross-
23 examine. I have no more questions for the witness.

24 THE PRESIDENT: Major Furness.

25 MR. FURNESS: If the Court please, as the

1 Court will recall, at the end of the defense case I
2 reserved a witness. He dealt with this particular
3 instant. My cross-examination will, in part, be
4 based on the assumption that I will be able to intro-
5 duce evidence to reply to the answers of this witness.

6 THE PRESIDENT: You intend to keep it within
7 the limits of his affidavit, I suppose, Major Furness?

8 MR. FURNESS: Within the limits of his affi-
9 davit and his additional questions, sir.

10 THE PRESIDENT: Well, we cannot stop your
11 cross-examination on those lines. You mean to tell
12 us you will observe what is certainly the British
13 rule, that your questions will be such that you will
14 be able to prove that subject matter if necessary,
15 or you hope to be able to, and they are not mere
16 speculative questions. I see no objection to the
17 course you propose.

18 MR. FURNESS: Thank you, sir. I am cross-
19 examining, I understand, generally for the defense.

20 THE PRESIDENT: Well, there is some objection
21 to the course you propose, and I do not quite under-
22 stand it, and I would like to do so. The course you
23 have outlined to me is strictly legitimate, if I
24 understand you, and I think I do.

25 MR. FURNESS: All I can say, your Honor, is

1 that your questions indicate that you do.

2 CROSS-EXAMINATION

3 BY MR. FURNESS:

4 Q General, at the time of the incident, how
5 many men were under your command?

6 A During the battle of July 31 in the Lake
7 Khassan area, 92 border guards, one company -- one
8 infantry company and one tank platoon were under my
9 command -- infantry company of the Soviet armed
10 forces.

11 Q Were the number of border guards increased
12 at all between the 1st of July and the 31st?

13 A Yes, between the 1st and the 31st of July
14 the number of border guards increased.

15 Q How much did they increase and when was the
16 increase made?

17 A I have no exact recollection, but there was
18 a considerable increase. Usually, the border patrols
19 consisted of three, five or ten men.

20 Q They were increased to 92 from what figure
21 on approximately what date?

22 A That is what I was going to answer. The
23 increase of the number of border guards took place
24 starting from July 29, 1938, that is, from the begin-
25 ning of the hostilities in that area on the Bezynyan-

naya Hill.

1 Q And from what number did they increase?
2
3 They were 92 at that time. What were they before the
4 increase was made?

5 A The number of border guards was increasing
6 gradually in accordance with the situation. At first
7 we had only O.P.'s, three men on the Bezymyannaya
8 Hill -- on the Zaozernaya Hill, and then, gradually,
9 in accordance with the situation, the number was
10 increasing.

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1 Q I would like to get an answer to my question.
2 You said you had 92. How many did you have before any
3 increase was made as a result of the changing situa-
4 tion?

5 A (In Russian).

6 MR. FURNESS: I would like to hear what he
7 said.

8 THE WITNESS: I have already replied to your
9 question, Mr. Defense Counsel.

10 SOVIET INTERPRETER: That was all he said.

11 THE PRESIDENT: General Vasiliev.

12 GENERAL VASILIEV: The ambiguity arises from
13 the fact that it is not quite clear whether the defense
14 counsel means the total number of forces the General
15 had at his command or the number of forces at Zaozer-
16 naya Hill. I suggest that the defense counsel make
17 his question more clear.

18 THE PRESIDENT: The witness must be the
19 judge of what is clear and what is not.

20 MR. FURNESS: It will be perfectly clear
21 what answer is wanted if these interruptions continue.

22 Q What were the total number of border guards
23 under your command on July 1?
24

25 A I haven't quite understood your question,
Mr. Counsel. I don't know whether you mean the border

1 guards on the Zaozernaya Hill or where the advance
2 occurred, or the entire detachment which held the
3 sector of 236 kilometers.

4 Q Well, tell us how many men were under your
5 command for the entire sector?

6 THE PRESIDENT: General Vasiliev.

7 GENERAL VASILIEV: I suggest that the wit-
8 ness bear in mind that if it is a matter of military
9 secret the witness shouldn't reply to this question.

10 THE PRESIDENT: Now, he has to take these
11 grounds of privilege. It is for the witness to say
12 that, General, in our courts at all events. We must
13 assume that he would not be entrusted with military
14 secrets without appreciating the fact, and in his
15 position he can be trusted to claim any objection
16 or claim any privilege.

17 MR. FURNESS: I suggest, your Honor, that
18 the Soviet prosecutor has asked me to clarify my
19 question, and I have tried to clarify it, and now
20 he objects to my clarifying it. I suggest, too, that
21 any questions with regard to July, 1938, can't affect
22 the security of the Soviet Union very much at the
23 present time.

24 GENERAL VASILIEV: I think that the clarifi-
25 cation made by the President of the court makes it

1 quite clear to the witness how he should answer.

2 Q All right, how do you act? Do you want to
3 tell us or do you claim privilege in answering the
4 question, how many men were in the sector of 230
5 miles which your detachment apparently guarded?

6 I said miles. I meant to say kilometers.

7 A I can testify now if I am not disturbed,
8 interrupted. But as to the strength of the border
9 guards on the entire sector of the border, I am unable
10 to testify with regard to this matter because it is a
11 matter of security, state security.

12 MR. FURNESS: All right.

13 THE WITNESS: I haven't completed my reply,
14 Mr. Counsel.

15 MR. FURNESS: I am sorry.

16 A (Continuing) You are interested in the
17 question as to how many body guards there were in the
18 area of the Zaozernaya Hill.

19 Prior to July 1, 1938, this sector of the
20 border was guarded in a normal way, and it was guarded
21 by the usual border guard posts consisting of three to
22 five men. Starting from July 1, when the Japanese
23 troops began to cross the Tuman-Ula River, the garrison
24 was increased, and it was increased gradually, as I
25 told you before, depending upon circumstances, the

1 situation. I can't state the details now, but
2 July 30, 1938 there were 92 border guards there; and
3 as stated here previously, on the night from July 30
4 to July 31, 92 border guards, one infantry company
5 of field troops, and tank platoons participated in
6 battle.

7 Q Do you mean to say that they increased
8 from 3 to 92; is that the effect of your answer?

9 A Gradually from 3 to 92.

10 Q And that was over the entire period from
11 July 1 to July 31; is that correct?

12 A Yes, from July 1 to July 31, 1938.

13 Q And now when you refer to Zaozernaya Hill
14 do you include also the parts of the line where
15 fighting took place on July 29?

16 A Yes, I included the entire sector starting
17 from the Bezmyannaya Hill, the Zaozernaya Hill, and
18 then further to the south where fighting broke out on
19 the morning of July 31, 1938.

20 Q Now, this infantry platoon which came up on
21 July 31, when did it arrive?

22 A First of all, this is not a platoon; this
23 is a rifle company, and it arrived on the night from
24 July 30 to July 31, 1938.

25 Q At what time and hours?

1 A It arrived about 23 or 24 hours.

2 SOVIET MONITOR: Correction: At 24 hours
3 or at 0030.

4 Q That is 0030 on the morning of July 31; is
5 that correct?

6 A Just as you say.

7 Q From where did it come?

8 A They arrived from the field troops from the
9 direction of Zarechie.

10 Q Where did they start from?

11 A It was approximately 10 or 12 kilometers.

12 Q Were they making hay when you called for
13 them?

14 A I don't know that detail. I wasn't interested
15 in it at that time.

16 Q Did they come from the Town of Yang-chu?

17 A I never heard about that town.

18 Q I think the Russian name is Novo-Kievskoye.

19 A I don't know; maybe they came from that
20 town which you named, but the actual point at which
21 they came under my command was Zarechie; and it was
22 10 or 12 kilometers from the place where the hostili-
23 ties occurred.

24 SOVIET MINOTOR: Correction. Instead of
25 actual point, initial position.

1 Q That was where they were stationed, was it
2 not?

3 A No, they hadn't been stationed there before.

4 Q They were stationed there when you called
5 for them, were they not?

6 A Yes, when I called for them they were
7 stationed there at Zarechie.

8 Q Now, this tank platoon, when did it arrive?

9 A It came under my command at the same time
10 both the infantry company and the tank platoon in
11 Zarechie.

12 Q When did it arrive in the vicinity of
13 Changkufeng?

14 A I didn't catch the question. Changkufeng?

15 Q When did it arrive in the vicinity of Hill
16 Zaozernaya?

17 A I have answered that already, Mr. Defense
18 Counsel. I told you they arrived at 24 hours on
19 July 30, between 24 hours on July 30 or 0030 on July 31.

20 Q How many tanks?

21 A A platoon, three tanks.

22 Q Did any more tanks come up that early morning
23 of July 31?

24 A I have stated here before that there was only
25 a tank platoon on July 31, and that tank forces

1 appeared later on August 6, 1938.

2 Q Now, when these tanks came up and came
3 under your command, where did they take up a position?

4 A They took up their initial positions in the
5 vicinity of Hill 68.8, that is, northeast of Bezy-
6 myannaya Hill.

7 Q And did they go into action that morning?

8 A Yes, they came into action at dawn of the
9 same morning, but only one tank actually participated
10 in fighting because two tanks couldn't cross the bog
11 which was there.

12 Q Did any cross the border line as contended
13 by the Russians?

14 A No, they didn't cross the state border line,
15 and I told you, Mr. Defense Counsel, only one tank
16 approached the border line because the other two
17 didn't participate in the battle.

18 Q Well, as I understand it, that one tank at
19 all times stayed on the other side of the steep ridge
20 at Changkufeng or Bezymyannaya?

21 A No, you have misunderstood me, Mr. Counsel.
22 I have already testified that the tank was not in the
23 area of Zaozernaya Hill, but it was northeast of the
24 Bezymyannaya.

25 Q It stayed on the other side of Bezymyannaya

1 Hill throughout this time, did it?

2 A Yes, all the time it was east of the
3 Bezynyannaya Hill.

4 Q And the slope east of the Bezynyannaya Hill
5 is a steep slope, too, is it?

6 A No, there was no steep slope there. This
7 slope is quite accessible for tanks.

8 Q Now, was the Podgornaya outpost under your
9 command?

10 A Yes, the Podgornaya outpost was under my
11 command.

12 Q And how far from Changkufeng, from Hill
13 Zaozernaya was that?

14 A The distance between the Podgornaya outpost
15 and the Bezynyannaya Hill amounted to four or five
16 kilometers.

17 Q Now, there was an outpost on Hill Zaozernaya,
18 was there not?

19 A No, this outpost was stationed at their
20 billet in the uninhabited point called Podgornaya.

21 Q Then you had no outpost whatever on Podgornaya
22 Hill?

23 When I say outpost I don't mean billet. I
24 mean headquarters or outpost on the hill.

25 I said Podgornaya. I meant to say Zaozernaya.

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1 I am sorry.

2 A As I have stated before, the Podgornaya
3 outpost is a regular military unit, which was billeted
4 in their permanent billet in the vicinity of the town
5 of Podgornaya. There was a border guard patrol on
6 the Zaozernaya Hill, but these are two different
7 territories.
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1 Q Did they have any shelter or any headquarters
2 on Zaozernaya Hill?

3 A No, there were no headquarters on the
4 Zaozernaya Hill and no shelter, either.

5 Q And they had no outpost 150 meters from the
6 state border line, as claimed by the Russians?

7 A I don't know what contention you are referring
8 to, Mr. Counsel, but I believe I have made myself
9 abundantly clear. The Podgornaya Outpost is a regular
10 military unit and is billeted in a permanent building
11 which was 150 meters away from the town of Podgornaya.
12 This outpost -- I mean, Podgornaya Outpost -- which was
13 four and one-half kilometers from the Zaozernaya Hill,
14 sent out a patrol, border guard patrol, on the Zaozernaya
15 Hill. And the border guard patrol is not a border
16 guard outpost. It is just a border guard patrol.

17 Q I am referring, for your information and
18 the information of the Tribunal, to testimony of the
19 witness Tereshkin, who testified there was a border
20 post outpost on Zaozernaya Hill which was located 150
21 miles from the state border.

22 A Probably a confusion of terms.

23 Q Do you want to clear it up?

24 THE PRESIDENT: Leave it at that.

25 MR. FURNESS: All right.

1 THE PRESIDENT: Well, he may add something
2 if he desires. We are not interested in the debate
3 continuing because the transcript speaks for itself.

4 Q Hill Bezmyanaya was one of the border hills,
5 was it not, as claimed by the Russians?

6 A The Bezmyanaya Hill is somewhat to the east
7 from the state border line.

8 Q Do not the western slopes go down into
9 Manchukuoan territory?

10 A By no means. The entire territory of this
11 hill is on the Soviet side.

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1 Q Now, in paragraph 4 of your affidavit, you
2 testify to the killing of MATSUSHIMA, Shakuni, and
3 you testify that you captured a notebook. What did
4 that notebook show?

5 A On the Japanese gendarme which was killed
6 we found a notebook, a camera, a pistol and eight
7 cartridges; and his notebook contained the results of
8 his observations.

9 Q What were the results of his observation?

10 A I am unable to outline it accurately and in
11 detail now, but the observations which were set down
12 in his notebook referred to a sector of that area.

13 Q That is all you remember about it?

14 A I didn't quite understand your question.

15 Q That is all you remember about it, is it?

16 A Yes,

17 Q All right. You found film in the camera, and
18 you had it developed. What had he taken pictures of?

19 A Yes, by my order this film was developed, and
20 special protocol was made to that effect. Pictures
21 of Soviet territory turned out on that film, the
22 Zaozernaya Hill eastern slopes, Bezmyannaya Hill, Lake
23 Khassan, and other pictures of terrain.

24 Q Because he took pictures, you felt justified
25 in killing him, is that correct?

1 A No. MATSUSHIMA, the Japanese gendarme, was
2 not killed because he took pictures of that area. He
3 was killed because he violated the state border line
4 south of the Zaozernaya Hill in the area of the
5 Dygashelli town, and didn't fulfill the demand of the
6 border guard patrol which was at that place.

RUSSIAN MONITOR: Didn't obey the demand.

7 Q Now, on page 5 of your affidavit you testify
8 that the letter which is part of exhibit No. 753,
9 dated July 23, had been shown to you, and you verify
10 its text.

11 I said page 5. I meant paragraph 5 on page 3
12 of the English text.

13 That letter mentions a previous letter dated
14 July 16. Now, was a letter taken by the Soviet border
15 guards about July 16?

16 A I have received two such letters. The first
17 letter was delivered to me by trespassers of the Soviet
18 border. I don't remember the exact date of delivery,
19 but it was after July 15.

20 The second letter was left on the Soviet
21 territory by an armed Japanese detachment who had
22 violated the state border, fired at the Soviet border
23 patrol, felled a telephone post of the border guard
24 signal service, severed the line 150 meters deep in
25

1 the Soviet territory, set up a pole and fixed the letter
2 to that pole.

3 The contents of those letters was approximately
4 the same; I mean, the contents of the letter which
5 was delivered by the trespassers and the contents of
6 the letter which was left by an armed Japanese detach-
7 ment.

8 THE PRESIDENT: We will recess for fifteen
9 minutes.

10 (Whereupon, at 1045, a recess
11 was taken until 1100, after which the pro-
12 ceedings were resumed as follows:)
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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: Major Furness.

4 BY MR. FURNESS. (Continued):

5 Q Now, before I forget it, how far is Novokievsk
6 from Hill Zaozernaya?

7 A Novokievsk is about 30 or 35 kilometers from
8 the Zaozernaya Hill; I have no exact recollection.

9 Q And units of the Red Army were stationed there
10 at that time, were they not?

11 A Yes, at that time there were units of the
12 regular Red Army.

13 Q And when you called for help, you called on
14 the Commander of those units, did you not?

15 A I did not personally turn to the Commander
16 of those units for help, but I called for help through
17 my headquarters.

18 Q Now, to return to these letters -- the last
19 one was dated the 23rd -- on either occasion were the
20 persons who brought those letters detained by the
21 Soviet Border-guards?
22

23 A The first of these who brought the first
24 letter, that is, the trespassers, were detained.

25 I haven't finished.

Q Go ahead.

1 A (Continuing) The members of the armed
2 detachment which brought the second letter were not
3 detained.

4 Q And when were the bearers of the first letter
5 returned?

6 A I didn't catch it.

7 Q When were they returned across the State
8 borderline as claimed by the Russians?

9 A Neither the first letter which was brought
10 by the trespassers nor the second letter were returned.

11 Q I think you misunderstood me. I said the
12 bearers of that first letter who were detained. When
13 were the men who brought that first letter returned?

14 A The bearers of the letter -- the trespassers
15 of the border, that is -- were turned over personally
16 by me on July 24, 1938 to the Japanese authorities in
17 the vicinity of Border Monument 8.

18 Q And is that near Hill Zaozernaya?

19 A No, that was not near the Zaozernaya Hill; very
20 far from the Hill, about 50-60 kilometers. I turned
21 the trespassers over to the Japanese authorities in
22 the vicinity of the Border Monument 8, and that is
23 50-60 kilometers from the Zaozernaya Hill.

24 Q You have now said that twice. Who were the
25 Japanese authorities?

1 A I don't remember exactly the names now, but
2 a special reciprocal protocol was signed by both parties
3 at that time in Russian and Japanese. Those persons
4 belonged to the Japanese Army in the rank of Major.
5 The Japanese Consul in Hanchun was present while those
6 persons were turned over.

7 Q What nationality or race were the two persons
8 that you detained?

9 THE PRESIDENT: Has he not already told you
10 so?

11 A Chinese or Japanese; I don't exactly remember
12 now.

13 THE RUSSIAN MONITOR: "Chinese or Koreans."

14 Q Now, at the last paragraph of that letter it
15 says, page 5 of exhibit 753: "The questions which
16 recently arose between us is becoming tense, we are
17 always ready to start negotiations on the frontier line
18 of our post Khunchun. I want to know your opinion."
19

20 You testified that the gist of the two letters
21 were the same and that the first letter came from the
22 Commander of the Japanese Hanchun Detachment. Did you
23 answer the letters anyway?

24 A No, I didn't reply to any of these letters.

25 Q Did you make --

 A I haven't completed my reply, Mr. Counsel.

1 A That was beyond the scope of my functions --
2 of my duties -- to reply to these letters because
3 the letters -- the reply to these letters had been
4 already given by the Government -- by the Soviet
5 Government.

6 Q Did you make any effort to get in touch with
7 the Japanese or Manchukuoan authorities as requested
8 in those letters?

9 A I have answered you already that I didn't
10 give any answer to those letters because it was out
11 of the scope of my duties, and matters of such kind
12 in our country are not decided by a single man.

13 THE RUSSIAN MONITOR: Addition: "I was not
14 authorized to answer these letters."

15 A (Continuing) Those letters were answered by
16 Peoples' Commissar for Foreign Affairs, Mr. Litvinov,
17 and I knew about that from our newspapers.
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1 Q Now, you testified that after you received
2 these letters you started to prepare against an attack.
3 What did you do?

4 A As soon as I received those letters, especially
5 the first one, after the trespassers had been turned
6 over, I, along with a group of officers, went out to the
7 Zaozernaya Hill.

8 Q You say there that -- I will read exactly the
9 words of your affidavit, middle of page 3: "Having got
10 such indications" -- the last reference is to the
11 letters -- "we started to prepare against an attack on us
12 in the Lake Khassan Area." Just what did you do to pre-
13 pare?

14 A I have told you already that I went to the
15 Zaozernaya Hill along with a group of officers and then
16 I sent as many border guards as I could to the Zaozernaya
17 Hill, and I have told you before that there were twenty-
18 nine of them there.

19 Q This first letter --

20 A (Continuing) I haven't finished.

21 I also personally observed the conduct of the
22 Japanese troops and instructed my officers to do so.

23 Q But this first letter was, according to testi-
24 mony already introduced in this case by the prosecution,
25 dated the 16th of July -- delivered the 16th of July.

What did you do after the 16th of July?

1 A Subsequent to July 16, that is, after the re-
2 ceipt of the first letter, no special measures were taken.
3 Only the observation of the Manchurian territory was
4 intensified, and I was awaiting instructions as to the
5 results of the letter from the superior headquarters.

6 Q But even though you expected an attack, you
7 built no trenches, strung no barbed wire, and built no
8 fortifications even on the Soviet side of the border,
9 is that correct?
10

11 A Yes, we constructed no trenches and no fortifi-
12 cations because as I told you previously instructions of
13 the Chief of the Department of the Border Corps
14 categorically forbid us to do that.

15 Q You made no start to fortify even on the 11th of
16 July or the 15th of July or at any other time then, as
17 I understand it.

18 A Yes. As I previously testified, prior to 31
19 July 1938, that is, prior to the arrival of the field
20 troops, no trench works were carried out there, but sub-
21 sequent to July 31, when the field troops had arrived in
22 the area, these field troops undertook some trench works,
23 but the depth of the trenches was no more than a lying-
24 in trench or sitting-in trench. These trenches were dug
25 by the Soviet soldiers to reduce the number of casualties

1 from bullets and fragments and served as centers of re-
2 sistance to repulse the Japanese attack and to launch
3 counter attacks when the Japanese troops broke into our
4 territory.

5 It is impossible to undertake any trench work
6 on the Zaozernaya Hill. It is a stone cliff and the
7 earth crust is only fifteen to twenty centimeters. So
8 this contention is wrong.

9 Q I am asking you questions now. Please answer
10 them without going into quite so much detail.

11 Now, this Hill Zaozernaya, you have testified
12 that the eastern slope is steep. The slope on the
13 western side was at first gradual and then turned
14 sharply downward, did it not?

15 A The western slopes of the Zaozernaya Hill are
16 even more steep, and they somewhat resemble -- somewhat
17 remind you of ravines, and you can see it on the map as
18 well as in the actual place.

19 Q Now, this Zaozernaya Hill is a long ridge, is
20 it not, which extends from southeast to northwest?

21 A The water-shed ridge of the Zaozernaya Hill
22 along the border line amounts to approximately two
23 hundred meters. The breadth of the water-shed ridge of
24 the Zaozernaya Hill amounts to two, sometimes to six,
25 a no more than fifteen meters. Thus, the water-shed
ridge of the Zaozernaya Hill is very distinctly shown.

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1 Q I asked you whether there was a long ridge
2 running from southeast to northwest. Now, can you give
3 me an answer as to whether or not that is a correct
4 statement?

5 A No, the water shed ridge of Zaozernaya Hill,
6 that is, at the top of the hill, is passing in the direc-
7 tion from south to north.

8 Q And the state borderline as claimed by the
9 Soviets extends the length of that ridge, does it?

10 A Yes, the state border in accordance with the
11 Hunchun Protocol and the map attached thereto passes
12 along that ridge.

13 Q You say that on July 26 you went to observe
14 what was going on with a group of officers at the
15 Zaozernaya outpost in order to observe on the spot what
16 was happening. Was that the first time that you went to
17 that outpost to see what was happening, after July 11?

18 A Yes, the date mentioned by you, Mr. Defense
19 Counsel, that is, July 26, 1938, is quite correct.

20 Q And that was the first time that you observed
21 Japanese troops?

22 A No, the Japanese troops had been observed be-
23 fore, that is, in the early part of July 1938.

24 Q I said you personally.

25 A No, I was at the Zaozernaya Hill several times

1 too, and during five years of my service in that sector
2 of the border I frequently went to the Zaozernaya Hill
3 because there was the junction of the three state borders
4 and this place called for special attention.

5 Q I said that was the first time you observed
6 Japanese troops crossing the Tuman River?

7 A No, I have already told you that I had seen the
8 Japanese troops before at the very beginning of July;
9 I don't remember the exact date.

10 Q But on that particular --

11 A I haven't completed my reply, Mr. Counsel.

12 I observed about a platoon of Japanese infantry
13 at the very beginning of July who were establishing wire
14 communication from Rumenula in the direction of the
15 Zaozernaya Hill. The beginning of that wire was very
16 hard to observe because it was hidden behind the natural
17 rises.

18 Q Now, you saw the troops crossing on July 26.
19 Were they withdrawn the following day?

20 A Beginning from July 26, 1938 I personally and
21 my post observed the Japanese crossing the Tuman Ula
22 River from the western bank onto the eastern bank, and
23 they didn't return back.

24 Q Now, the troops crossing were infantry troops,
25 were they not?

A I haven't completed my answer, Mr. Counsel.

Q Well, if you would start immediately after the light went out I would know that, but you seemed to have completed it and I could not tell.

I asked you whether they had withdrawn, whether they did withdraw, and you say they did not and that seems to be an answer to my question.

A But I wanted to add a few words, saying that they didn't withdraw the troops, and I personally as well as the posts of the Soviet troops established the fact that the number of Japanese troops which were crossing the river were approximately 3,800 men.

Q You said that in your affidavit, and you have said it three times now.

Now, it was only infantry that was brought across, was it not?

A Yes, infantry units and small calibre artillery were crossed to the eastern bank of the river, to the Manchurian territory.

Q They were 37½ millimeter anti-tank guns and trench mortars, were they not?

A Yes, the guns were approximately 37 or 40 millimeters.

Q Now, with regard to the fighting, I will put you a question which was put to one of the defense witnesses

1 by General Vasiliev: "You, as a military man, under-
2 stand, certainly, that during the course of fighting
3 some definite line could have been violated by any of
4 these parties?" He means the opposing parties. What
5 is your answer to that?

6 A I will try to reply to your question objective-
7 ly and accurately. Neither --
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GRIBENNIK

CROSS

1 Q And briefly, I hope.

2 A Neither the field troops nor the border guards
3 ever crossed the frontier in the course of fighting,
4 because they were categorically forbidden from so doing.
5 But since the field troops were not very well familiar
6 with the country, special officers -- special border
7 guard officers were detailed who were very well familiar
8 with the border to assist the field troops. They were
9 detailed as guides, but of course it is possible that
10 during the fighting some wounded soldier or officer
11 who were trying to get into the rear and were unfamiliar
12 with the sector and hiding behind the natural rises,
13 could have violated the border, but I know of no such
14 cases.

15 The direction as to non-violation of the border
16 came from superior headquarters, with a view of not to
17 expand hostilities in Lake Khassan area, not to give
18 any pretext to the Japanese aggressors to develop or
19 expand hostilities.

20 Q And that order applied to firing across the
21 border, did it?

22 A Yes, this order also applied to the firing
23 across the border.

24 Q So that even in the course of heavy fighting
25 at night and fog you can testify that no Soviet border

1 guard and no member of the Red Army crossed the border
2 or fired across the border except in an effort to es-
3 cape?

4 A Yes, I have already testified that neither
5 the Soviet border guards nor the Soviet troops ever
6 crossed the border; but in the course of fighting there
7 might have been such cases when shells or bullets ex-
8 ploded where the Japanese troops participating in the
9 fighting were located.

10 Q So you did fire across the border, is that
11 correct?

12 A Yes, in those cases when the Japanese troops
13 were directly near the border and in front of the Soviet
14 troops and were firing at the Soviet troops, the Soviet
15 troops opened the fire in reply, and therefore the
16 shells or bullets exploded on the territory occupied by
17 the Japanese troops.

18 Q When did the Soviet artillery come up to the
19 fighting?

20 A The Soviet artillery arrived on the 1st of
21 August, 1938.

22 Q You did not have any artillery in action on
23 the 31st of July at any time, is that correct?

24 A On July 31 there was no artillery action on
25 the part of the Soviet troops and Soviet border guards

1 because there was no artillery in that area at that
2 time.

3 Q Now, without crossing the state border and
4 without intentionally firing across the state border,
5 as I understand it, the Russian troops wiped out an
6 entire Japanese division, is that correct?

7 A Yes, the part of the division which participat-
8 ed in the action was wiped out, and likewise the gun posi-
9 tions which rendered assistance to the attacking units
10 were also wiped out.

11 Q Then, only a part of a division participated,
12 is that correct?

13 A No, not a part of the division but the whole
14 division took part in the fighting.

15 Q Now, how long were you at the scene of the
16 fighting?

17 A I was at the scene of fighting from July 26
18 till August 10, as I have testified before.

19 Q You were there when hostilities ceased, were
20 you?

21 A No, at that time I was not at the scene of the
22 fighting, because I left the scene of the fighting on
23 August 10, 1938.

24 Q The fighting ended at noon on August 11, 1938,
25 is that correct?

1 A Yes, but not quite so. The fighting actually
2 ceased at 12:05, because according to the agreement
3 the Japanese were supposed to cease fighting at 12:00
4 sharp, but they didn't do so.

5 Q They ceased at five minutes after the hour,
6 is that correct?

7 A Exactly as you say.

8 Q And according to the agreement the troops of
9 both parties were to continue at the line that they
10 then held?

11 A Yes. The Soviet troops were along the border,
12 and the Japanese troops were after the attack on their
13 territory, and subsequent to August 11 they were with-
14 drawn completely to the west bank of the Tuman-Ula
15 River.

16 Q The line as of the close of fighting, then was
17 exactly to a meter the line as claimed by the Soviet
18 authorities, is that correct?

19 A Yes. After the attack and after the Soviet
20 troops had wiped out the Japanese division, the border
21 line remained as it was defined by the Hunchun protocol.

22 RUSSIAN MONITOR: Correction: Instead of
23 "wiped out" it should be "repulsed."
24

25 Q But the line at the end of the fighting was
 exactly to a meter the border line as claimed by the

1 Soviets? Can you answer that question? That is the
2 question I asked you.

3 A Yes. I have already replied that the border
4 was restored in accordance with the Hunchun agreement
5 after the fighting.

6 Q And after that the Soviet Red Army troops with-
7 drew and there remained only on the border the Soviet
8 border guards?

9 A Yes, after the hostilities ceased the regular
10 field units were withdrawn and only border guards re-
11 mained in that area.

12 THE PRESIDENT: We will adjourn until half-
13 past one.

14 (Whereupon, at 1200, a recess was
15 taken.)
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AFTERNOON SESSION

1 The Tribunal met, pursuant to recess, at 1330.

2 MARSHAL OF THE COURT: The International
3 Military Tribunal for the Far East is now resumed.

4 THE PRESIDENT: Major Furness.

5 Is this cross-examination likely to take much
6 longer, Major?

7 MR. FURNESS: No, sir.

8 - - -

9 K U Z M A Y. G R E B E N N I K, called as a
10 witness on behalf of the prosecution, resumed the
11 stand and testified through Russian interpreters
12 as follows:

CROSS-EXAMINATION

13 BY MR. FURNESS (Continued):

14 Q Can you tell me whether General Stern commanded
15 the Soviet troops along the frontier during the course
16 of the hostilities?

17 THE PRESIDENT: General Vasiliev.

18 GENERAL VASILIEV: The question is absolutely
19 irrelevant to the issues involved in the case and,
20 therefore, I object.

21 THE PRESIDENT: Major Furness.

22 MR. FURNESS: Your Honor, he has answered

1 already and it seems to me that if he testifies to
2 the hostilities it is perfectly within the affidavit
3 to ask him who commanded the troops on the Russian side
4 during the hostilities.

5 THE PRESIDENT: I cannot see how it matters
6 to you, but it may.

7 MR. FURNESS: I am satisfied with his answer
8 to the question which other counsel asked me to ask.

9 Q The equipment used by the Japanese
10 was not motorized, was it?

11 A No, no mechanized troops participated on
12 the part of the Japanese.

13 MR. FURNESS: No further cross-examination,
14 your Honor.

15 THE PRESIDENT: General Vasiliev.

16 GENERAL VASILIEV: May the witness be excused
17 on the usual terms?

18 THE PRESIDENT: He is excused accordingly.

19 (Whereupon, the witness was excused.)

20 THE PRESIDENT: Major Blakeney.

21 MR. BLAKENEY: If the Tribunal please, the
22 witness KANDA was yesterday stood down for possible
23 cross-examination. Today, in order that the witness
24 need not be kept waiting unnecessarily, I should like
25 to say that we shall not cross-examine, merely referring

1 the Tribunal to the cross-examination of the witness
2 KASAHARA in connection with this same point on pages
3 7630-7639 of the transcript.

4 THE PRESIDENT: General Vasiliev.

5 GENERAL VASILIEV: We now offer in evidence
6 IPS document No. 3294, the Certificate of the Military
7 Topographic Department of the USSR General Staff with
8 geographical maps published in different countries
9 of the world attached thereto which show the correct
10 border line in the Khalkin-gol area, that is, east of
11 the river. The defense has introduced in evidence a
12 map of 1933 published in the USSR which showed the
13 border line as claimed by the Japanese and Manchukuo
14 side, that is, along the Halha River. (Exhibit 2713,
15 record 23,844.)

16
17 To rebut this evidence of the defense we
18 present this certificate which points out an error
19 made in the map published in 1933, the reason thereof
20 and the timely steps immediately taken in order to
21 correct this error.

22 THE PRESIDENT: The witness KANDA is excused
23 on the usual terms.

24 Major Blakeney.
25

1 MR. BLAKENEY: I wish to take several ob-
2 jections to this document now tendered. This curious
3 certificate is a confession by the Soviet authorities
4 that they had, as they say, committed an error in
5 showing the boundary line on their maps. Inasmuch
6 as they proceed, in the supplement of this document
7 and other documents, to show the large quantity of
8 materials which they had available and which showed
9 the boundary to be as they now contend it always to
10 have been, this confession of error must now, it is
11 submitted, sound a little unconvincing and must, in
12 consequence, have very little or no importance for
13 the Tribunal in helping it to determine the issue of
14 this frontier.

15 However, to paraphrase the words of one of
16 the Russian prosecutors when this matter was origin-
17 ally presented to the Tribunal, this merely confirms
18 that the Soviet authorities annexed this territory
19 by changing the boundary on the map. At the very
20 most, I submit, material of this type would tend to
21 show that there was such a genuine confusion concern-
22 ing the true location of the boundary as to negative
23 any aggressive intent by either side in commencing an
24 incident of this type, that is to say, Nomonhan, to
25 which these maps relate.

1 As an additional ground of objection, I
2 wish to refer to the form of this document which,
3 while denominated a certificate, is in actuality an
4 affidavit; and I respectfully submit that a witness
5 who undertakes to testify to an error having been
6 made and to the means adopted to correct it should
7 be produced for cross-examination under the rather
8 peculiar circumstances if his testimony is to be
9 allowed any probative value. And we, therefore, ob-
10 ject to the reception of this document unless the
11 affiant be produced for cross-examination.

12 Additionally, if the various documents listed
13 and referred to herein as being attached sheets are
14 to be offered, I shall have specific objections to
15 some of them which, however, I assume I may properly
16 reserve until each of them is offered. If I may, I
17 should point out that these numerous document all
18 have the same number but, I assume, will be tendered
19 individually.

20 THE PRESIDENT: General Vasiliev.

21 GENERAL VASILIEV: If my translation was
22 correct, the defense counsel called this document
23 several times "curious." This document emanates from
24 a Soviet governmental office, and the observation of
25 the defense counsel Blakeney is simply not serious

1 and does not deserve to be answered. This document
2 is in full conformity with all the requirements of
3 this Tribunal in accordance both with the Charter and
4 with the rules of procedure. It can by no means be
5 equated with an affidavit, and documents of this kind
6 were several times admitted by this Tribunal. An
7 error is an error, and it is dealt with in this
8 document, and I submit it is fairly convincingly
9 explained why it took place. And the best explana-
10 tion lies in many maps of American and British origin
11 which show the borderline in that sector. And as
12 to the rest of the statement, it is all a matter of
13 argument, and, I submit, now is not the proper stage
14 for it, and it is a matter for the Tribunal to decide
15 who introduced the confusion and for what purpose.
16 Therefore, I ask that the document be admitted in
17 evidence.

18 I call the attention of the Tribunal to the
19 fact that the maps are appendices to the certificate.
20

21 THE PRESIDENT: By a majority, the objection
22 is overruled and the document is admitted on the
23 usual terms.

24 CLERK OF THE COURT: Prosecution document
25 3294 will receive exhibit No. 3855.

(Whereupon, the document above
referred to was marked prosecution ex-
hibit No. 3855 and received in evidence.)

GENERAL VASILIEV: I shall read the exhibit:

"CERTIFICATE

"In 1933 the VIIth sheet of the map of the
Asiatic part of the U.S.S.R. (scale 1" = 100 versts)
was republished.

"The state border line between the Mongolian
People's Republic and Manchuria in the Lake Buir-Nur
area was erroneously marked on this sheet not to the
east of the Khalkin-gol River as it should have been
done but on the river itself.

"The following Japanese maps were used during
the drawing of the state border line between the Mon-
golian People's Republic and Manchuria:

"1. The map of Manchuria, Chahar and Outer
Mongolia published in 1933 by military authorities
of Manchukuo.

Scale: 1:500,000 (Supplement N. 1)

"2. The map of Manchuria, North China and
Korea published in 1931 by Cartography Depart-
ment.

Scale: 1:2,500,000 (Supplement N. 2)

"After the VII the sheet had been republished

1 the error in the state border line between Mongolian
2 People's Republic and Manchuria was discovered on
3 this sheet, and measures were taken to study carto-
4 graphic materials available in the archives, geo-
5 graphical atlases of various countries and document-
6 ary materials of the Mongolian People's Republic
7 Government relating to the Lake Buir-Nur area.

8 *These materials corroborated that the state
9 border between Mongolian People's Republic and Man-
10 churia as shown on the VIIth sheet of the map (scale
11 1" = 100 versts) is wrong and therefore afterwards
12 when maps of any scales were published the border
13 between the Mongolian People's Republic and Manchuria
14 was marked to the east of the Khalkin-gol River, that
15 is, where it actually passes in the area.

16 "This is corroborated by the attached sheets
17 of the following maps:

18 "1. VIIth sheet of the map with the scale
19 1" = 40 versts (Blagovestchensk, Tsitsihar) published
20 in 1935 by the Red Army Military Topographic Depart-
21 ment. (Supplement N 3)

22 "2. Sheet L-50-B published in 1936 by the
23 Red Army Military Topographic Department. Scale:
24 1:500,000. (Supplement N 4)

25 "3. Sheet L-50-III, eastern part, published

1 in 1936 by the Red Army Military Topographic Depart-
2 ment. Scale: 1:200,000 (Supplement N 5)

3 "The attached photostat-copies of maps taken
4 from the Central Archives of the Military Topographic
5 Department and from geographical atlases of various
6 countries also corroborate that the state border
7 between the Mongolian People's Republic and Manchuria
8 runs not on the Khalkin-gol River, but to the east of
9 it:

10 "1). Geographical map of Heilunghiang,
11 Scale: 1:2,000,000. (Supplement N 6)

12 "2). Training map of the Mongolian People's
13 Republic published in Leipzig, Scale: 1:2,000,000
14 (Supplement N 7)

15 "3). The map of the Mongolian People's
16 Republic published in Shanghai (Supplement N 8)

17 "4). The Map of China (The Handy Royal
18 Atlas of Modern Geography. Yohnston. pp. 62-63.
19 Published in London, in 1927) (Supplement N 9)

20 "5). The Map of Eastern Siberia. (Stieler's
21 Hand-Atlas. Justus Perthes. 1905. Gotha, p. 58)
22 (Supplement N 10)

23 "6). The Map of China (New Handy General
24 Atlas. George Philip. London, 1930. pp. 123-124)
25 (Supplement N 11)

1 "7). The Map of China and Japan. (World
2 Atlas. Rand McNally & Company. New York, 1932-1933,
3 pp. 152-153) (Supplement N 12)

4 "8). The Map of China and Japan (The Times
5 Handy Atlas. John Bartholomew, London, 1935, pp. 64-65)
6 (Supplement N 13)

7 "9). The Map of China and Japan (The Citizen's
8 Atlas of the World. Bartholomew, London, 1935.
9 pp. 112-113) (Supplement N 14)

10 "10). The Map entitled: 'Asia, the states
11 and a survey of the means of communication.'
12 (Columbus Weltatlas. Paul Oestergard, Berlin, 1937,
13 pp. 47-48) (Supplement N 15)

14 "11). The Map of East Asia. (Cappelens
15 Verdens Atlas. Cappelen, Oslo, 1937. p. 33 (II).)
16 (Supplement N 16)."

17
18 THE PRESIDENT: General, what have you to say
19 in answer to the following observation by a Member of
20 the Tribunal: We know nothing about the materials used
21 in preparing these maps; moreover, only three out of the
22 eleven are prior in date to the map alleged to be
23 erroneous?
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1 GENERAL VASILIEV: If I understood you cor-
2 rectly I will reply as follows: In the very beginning
3 of the certificate two Japanese maps were indicated
4 which served as a basis of the error if the border
5 line was copied from them, the border line in that
6 sector -- because the border line was copied from them.
7 The reason is that we are referring to the border not
8 of the Soviet state, and it is only natural that foreign
9 maps were used to show this border, and that was the
10 reason for the mistake.

11 May I complete my reply?

12 THE PRESIDENT: I am not preventing you.

13 GENERAL VASILIEV: And additionally, maybe
14 I didn't hear you correctly, not two or three maps
15 are attached, maps relating to the period prior to the
16 conflict, but much more, as may be seen from the enum-
17 eration.

18 THE PRESIDENT: The suggestion is that only
19 three out of the eleven are prior to the date -- are
20 prior in date to the map alleged to be erroneous.

21 GENERAL VASILIEV: I misunderstood you. I
22 was referring to our maps, and as far as foreign maps
23 are concerned -- I misunderstood you.

24 I was referring to foreign maps, and as far
25 as our maps are concerned there are three of them indeed.

1 I presume it is clear from the certificate that these
2 are not all the maps but just some of them taken for
3 example.

4 THE PRESIDENT: Major Blakeney.

5 MR. BLAKENEY: In renewing the request for
6 the alternative production of the witness or disre-
7 garding of this testimony, I might also point out
8 that of those few maps herein enumerated published
9 after the allegedly erroneous Soviet map, at least
10 three which I have noted show the frontier to be not
11 where it is claimed on the corrected Soviet map but
12 where it stood on the original one, for example,
13 Nos. 9 and 10 which show the frontier distinctly to
14 be west of the Khalkin-gol. I think these clearly
15 demonstrate the probative value of this testimony in
16 the absence of cross-examination.

17 GENERAL VASILIEV: I submit that the motion
18 to produce the person who signed this document for
19 cross-examination is merely an attempt to create unsur-
20 passable obstacles for us, because it is quite clear
21 that within the few days before the summation we will
22 have no time to bring the witness here. And, addi-
23 tionally, there is no need to do so.

24 And as far as the appraisal of this document
25 is concerned, I submit that this is a matter of the

1 future and it is a matter for the Tribunal to decide
2 whether these documents are -- Correction: And I sub-
3 mit there is no need to prove how convincing these
4 documents are.

5 THE PRESIDENT: Well, this whole question is:
6 What is necessary in the interests of justice. We
7 will consider whether it is necessary to call the per-
8 son who is responsible for these maps for cross-
9 examination.

10 GENERAL VASILIEV: The Latest Great Map of
11 China, published in Japan in 1932, which shows the
12 correct border line in the vicinity of the Khalkin-gol
13 River east of the river is now offered in evidence to
14 rebut the evidence of the defense to the effect that on
15 the Japanese maps the border ran along the river,
16 record 23,842.

17 RUSSIAN MONITOR: And I offer in evidence
18 this document, the number of which is 2993-C.

19 THE PRESIDENT: Major Blakeney.

20 MR. BLAKENEY: I object to this document as
21 having no probative value and being unimportant. This
22 is a map by a private publisher, in no sense official,
23 published by a book store somewhere, and is purely
24 cumulative when added to the large collection of such
25 maps just now admitted into evidence. I submit that

1 additional maps of this type can have no importance
2 to the Tribunal.

3 GENERAL VASILIEV: Although it is true that
4 the map was published by a publishing house -- Cor-
5 rection: By a book store, but it is clear that he
6 didn't invent that map himself, and it only confirms
7 that the general idea about the border was such as it
8 is shown on the map. Additionally I should like to
9 state that this map was borrowed from the Tokyo Imper-
10 ial Library which shows that the map carries certain
11 weight and is trustworthy.

12 THE PRESIDENT: By a majority the objection
13 is overruled and the document admitted on the usual
14 terms.

15 CLERK OF THE COURT: Map entitled "Latest
16 Great Map of the Chinese Republic" will receive exhibit
17 No. 3856 for identification only; the photostatic
18 portion thereof, being prosecution document 2993-C,
19 will receive exhibit No. 3856-A.

20 (Whereupon, the document above
21 referred to was marked prosecution exhibit
22 No. 3856, the excerpt therefrom being marked
23 prosecution exhibit No. 3856-A and received
24 in evidence.)
25

1 GENERAL VASILIEV: The evidence presented by
2 the defense contains a claim that in the vicinity of
3 the Khalkin-gol River the border followed the course
4 of the river in conformity with historical Chinese
5 maps, record 22,995 through 97.

6 To rebut this contention we offer in evidence
7 IPS document 3024, a historical Chinese map drawn in
8 1858. It comprises an explanatory note of the Foreign
9 Ministry of the Mongolian People's Republic, the
10 inscription on the map and the map itself as well as
11 the letter of the Chinese dignitary Beise who in 1858
12 clarified the border in the Khalkin-gol area by order
13 of the Manchurian Emperor.

14 These two documents are marked "b" and "c".

15 Since this historical map and the documents
16 attached thereto are written in Mongolian and, in
17 addition, the map was drawn by specific methods dif-
18 ferent from those used nowadays, it became necessary
19 to translate it into comprehensible symbols.

20 We also tender in evidence the affidavits
21 of KITADA, Koso, Doctor of Cartography, and HATTORI,
22 Shiso, professor of linguistics, IPS documents 3024-d
23 and e.

24 These Japanese scientists certify that the
25 historical Chinese map of 1858 being translated to a

1 modern map shows the border line in conformity with
2 the Mongolian-Soviet claim, that is, not along the
3 course of the river but east of the river.

4 If the Tribunal admits these documents in
5 evidence the witnesses may be immediately brought in
6 as they are now in the witness room.

7 THE PRESIDENT: Before we get on to this docu-
8 ment, I have a question by a Member of the Tribunal
9 on the exhibit 3856-A just admitted: Are you submitting
10 that the border in question was a China-Manchuria
11 border? He points out that it is entitled "The Latest
12 Great Map of the Chinese Republic."

13 GENERAL VASILIEV: We are referring, as I
14 understand, to the border between the so-called Inner
15 and Outer Mongolia. The Outer Mongolia, which is now
16 Mongolian Peoples' Republic, was formerly part of
17 China, and it is only natural that in showing the
18 borders of China in the present sense of this word
19 that the borders with the neighboring countries should
20 be marked.

21 MR. BLAKENEY: Shall I proceed, your Honor?

22 THE PRESIDENT: We will proceed with the docu-
23 ment last tendered, IPS document 3024B and C.

24 Major Blakeney.

25 MR. BLAKENEY: Yes. There were, in fact, four

documents tendered as a group, but I shall discuss
1 them, of course, individually.

2 THE PRESIDENT: Well, I haven't been handed
3 four, but it doesn't matter. Go ahead.

4 MR. BLAKENEY: 3024B consists of a variety
5 of matter, the chief part of which seems to be the
6 so-called explanatory note. The explanatory note is,
7 of course, nothing more nor less than testimony, an
8 affidavit, and I call attention to the fact that it
9 was plainly prepared for use in this trial, being
10 dated the 8th of December 1946 which is some two and
11 a half months after the conclusion of the presenta-
12 tion of the Soviet case in chief but roughly half a
13 year before the presentation of the defense's Soviet
14 case. We, therefore, submit, it could in no conceivable
15 way be rebuttal or answer. Therefore, my first point
16 is that this man Sanjimitab should certainly be
17 brought here as a witness to stand cross-examination
18 on this matter rather than testifying to it through
19 this document.
20

21 By the way, although the witness Sanjimitab
22 signs himself as an official of the Mongolian People's
23 Republic, the certificate of translation of the docu-
24 ment shows it translated apparently from Russian to
25 English. Therefore, I presume that we have here one

1 of several cases to appear later of double transla-
2 tion, Mongolian to Russian, Russian to English, with
3 all of the well-known dangers which that entails.

4 In addition to those things, this witness pur-
5 ports to testify concerning certain documents some of
6 which are not produced. The map referred to in para-
7 graph 1 purports to be annexed although in actuality
8 what is annexed is a hand drawn sketch, and quite
9 obviously not prepared in the Mongolian or the Man-
10 churian language in the year 1858. By the way, on
11 page 4 of this document the year of the map is given
12 as 1838. The pages are not numbered but I am referring
13 to a certificate, the first of two by Maurin of the
14 International Prosecution Section.

15 THE PRESIDENT: According to the copies given
16 to General Cramer and myself the map was drawn by a
17 Manchurian minister Jagdan in 1734. That can't be
18 right. I should say, it could be right but it isn't
19 likely.

20 MR. BLAKENEY: That, your Honor, I was just
21 going to say is the map referred to in paragraph 2
22 which appears to be a totally distinct map and as to
23 production of which there is no effort here made.

24 THE PRESIDENT: I must correct myself.
25

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Document 3024C shows two dates, 1732 and 1734. Apparently it is intended that that very early date should be where it is.

1 MR. BLAKENEY: But my point, of course, is that
2 that map was not produced or tendered.

3 Paragraph 3 of this so-called explanatory
4 note starts off, "As is shown by historical documents,"
5 and then proceeds to summarize and give conclusions as
6 to what is shown by those historical documents for the
7 remainder of the page.

8 THE PRESIDENT: This boundary question may
9 call for a major investigation, which we may not be
10 able to undertake at this stage. It may involve the
11 close inspection of ancient documents not immediately
12 available.

13 MR. BLAKENEY: Finally, I was going to say,
14 to demonstrate what I consider to be the absolute
15 unimportance of this document, that this author pro-
16 ceeds to say that the contents of some of these
17 historical documents are conclusive proof of the
18 ownership of the territory, but he doesn't condescend
19 to let us see the parts from which he forms that con-
20 clusion.

21 I assume it would be more convenient to your
22 Honors to rule on this one before I mention the other
23 documents also tendered.

24 THE PRESIDENT: By a majority the objection
25 is sustained and the document rejected.

BYKOV

DIRECT

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1 MR. BLAKENEY: Shall I proceed with my
2 objection to the second of the documents?

3 GENERAL VASILIEV: There is no need to
4 do so because I am not going to present it since
5 they are very closely related to each other.

6 May the witness Bykov be called?

7 - - -

8 A. E. B Y K O V, called as a witness on behalf of
9 the prosecution, being first duly sworn, testi-
10 fied through Russian interpreters as follows:

11 GENERAL VASILIEV: May the witness be shown
12 IPS document 3151?

13 DIRECT EXAMINATION

14 BY GENERAL VASILIEV:

15 Q What is your first and last name?

16 A Bykov, Afimogon Erastovich.

17 Q Your military rank?

18 A Major.

19 Q Will you examine IPS document No. 3151?

20 Is this your interrogation; is this your affi-
21 davit?

22 A Yes, that is my affidavit.

23 Q Are all the statements therein true and
24 correct?

25 A Yes, true and correct.

1 GENERAL VASILIEV: I now offer in evidence
2 the affidavit of Major Bykov, whose testimony in regard
3 to the Halhin-Gol events is embodied in IPS document
4 3151.

5 This evidence is presented in rebuttal of
6 the evidence presented by the defense to the following
7 effect:

8 The right bank of the Halka River was not
9 guarded by Mongolian border guards and the border fol-
10 lowed the course of the river, record 22,998 through
11 23,029.

12 The Mongolian troops were the first to open
13 hostilities and occupied the eastern bank of the river,
14 record 22,595, 23,029, 23,016.

15 Major Bykov was in command of the first Soviet
16 unit put into action against the Manchukuo and Japanese
17 forces and is an eyewitness of all the events from
18 beginning to end. His testimony would be of great
19 importance to the Tribunal and from the legal stand-
20 point is quite proper for this stage of the trial.

21 THE PRESIDENT: No objection? The document
22 is admitted on the usual terms.

23 CLERK OF THE COURT: Prosecution document
24 3151 will receive exhibit No. 3857.

25 (Whereupon, the document above

referred to was marked prosecution's exhibit
No. 3857 and received in evidence.)

GENERAL V. SILIEV: I shall read the exhibit,
omitting the formal parts.

"1. In 1939, I served in the Soviet forces
on the territory of the Mongolian People's Republic.
At that time my rank was senior lieutenant and I
commanded a mechanized rifle battalion of the 11th tank
brigade stationed in the town of Under-han.

"On March 1, 1939, Major General Yakovlev,
brigade commander, put me in command of a mixed detach-
ment and ordered to march with the detachment to the
area of the Mongolian town Tamtsak-Bulak 120-130 kilo-
meters west of the Halhin-Gol river. As Major General
Yakovlev explained to me the purpose of sending the
mixed detachment was as follows: in the Halhin-Gol
river area, on the sector guarded by the 7th Mongolian
frontier guard outpost increased the cases of the
boundary line being crossed by the Japanese troops and
there were cases when the Japanese kidnapped the Mon-
golian tsiriks (soldiers) and officers and took them
to the Manchurian territory. The purpose of having
the Soviet mixed detachment in that area was to prevent
the Japanese from similar unlawful actions directed
against the Mongolian border guards.

1 "My mechanized rifle battalion reinforced
2 with an armoured-car (BA-6) company, with a battery
3 of 76mm. self-propelled guns (4 guns) and with a
4 battery of 122mm. howitzers (4 howitzers) was a part
5 of the mixed detachment placed under my command.

6 "On May 28, 1939, this detachment was the
7 first unit of Soviet regular troops which engaged in
8 battle with the Japanese Manchurian troops crossing
9 the border of the Mongolian People's Republic east of
10 the Halhin-Gol river and seizing the part of the Mon-
11 golian territory on the eastern bank of that river.

12 "2. On March 5, 1939, the detachment arrived
13 in the area of the town Tamtsak-Bulak and was stationed
14 there.

15 "In the town Tamtsak-Bulak was also stationed
16 the 6th Mongolian cavalry division.

17 "East of Tamtsak-Bulak were neither Mongolian
18 nor Soviet regular troops, but only the Mongolian
19 border guard outposts.

20 "3. In so far as the violations of the
21 border were perpetrated by the Japanese on the sector
22 guarded by the 7th Mongolian border guard outpost I
23 went to that outpost in March 1939 in order to investi-
24 gate the situation at the border.

25 ~~"The 7th border guard outpost guarded the~~

1 sector of the state border of the Mongolian People's
2 Republic east of the Halhin-Gol river beginning from
3 Eris-Ulin-Obo and further to the north in a straight
4 line to Hulat-Ulin-Obo and from that place also in a
5 straight line to Nomongan-Burd-Obo.

6 "In such a way the territory guarded by the
7 outpost was on the eastern bank of the Halhin-Gol river
8 20-22 kilometers in depth in the direction of Nomongan-
9 Burd-Obo east of the river.

10 "The sector of the border guarded by the out-
11 post ended a few kilometers north of the place Nomongan-
12 Burd-Obo.

13 "The bulk of the outpost was on the western
14 bank of the river in the Sumburin-Tsagan-Nur lake area.
15 The outpost daily sent patrols to and set posts on the
16 eastern bank of the river.

17 "The eastern bank of the river was very
18 carefully guarded by Mongolian border guards especially
19 in connection with systematic violations of the state
20 border in that area perpetrated by the Japanese-
21 Manchurian troops beginning from January 1939."

22 THE PRESIDENT: We will recess for fifteen
23 minutes.
24

25 (Whereupon, at 1445, a recess was
taken until 1500, after which the proceedings

were resumed as follows:)

- - -

MARSHAL OF THE COURT: The International
Military Tribunal for the Far East is now resumed

THE PRESIDENT: General Vasiliev.

GENERAL VASILIEV: I resume the reading of the
affidavit of the witness Bykov.

"4. On the night of May 14-15, 1939, the head-
quarters of the 6th Mongolian cavalry division received
a report from the 7th border guard outpost to the effect
that on May 11 the Japanese-Manchurian cavalry unit more
than 200 men strong crossed the border in the Nomongan
area and advanced 15-18 kilometers into the Mongolian
territory.

"In a clash with that unit several Mongolian
border guards were killed. On May 12, 1939, border
guard reserves drove the violators of the border into the
Manchurian territory.

"However, on May 14, 1939, up to two squadrons
of the Japanese and Manchurians again crossed the border
and advanced into the Mongolian territory on the eastern
bank of the Halkin-gol river driving back the border
guards.

"In connection with that report the Command of
the 6th Mongolian division and I decided to go to the

1 location of the 7th border guard outpost to investigate
2 the situation.

3 "About 35-40 kilometers from the 7th Mongolian
4 border guard outpost we came across 2 mounted tsiriks
5 (soldiers) riding on horseback at top speed in the
6 western direction. We stopped them. The tsiriks were
7 carrying a message from the chief of the outpost to the
8 effect that 5 Japanese single-engined dive-bombers raided
9 the outpost and made four bombing runs. During the first
10 two runs the outpost was bombed and then during the last
11 two the outpost was machine-gunned from the air.

12 "We went to the outpost at once and I myself
13 saw the damage inflicted by the Japanese. Three tsiriks
14 were killed, 25 were injured. I saw myself the traces
15 of machine-gunning. On the same day we returned to
16 Tamtsak-Bulak (we had motorcars). I put in a through
17 call to the corps headquarters in Ulan Bator and reported
18 about what had happened.

19 "5. On May 18 by order of the command the
20 Mongolian division went to the Hamardaba mountain area
21 on the western bank of the Halhin-gol river.

22 "By order of the corps headquarters my recon-
23 naissance platoon went together with the 6th Mongolian
24 cavalry division. The first minor clash of Soviet
25 troops with Japanese-Manchurian troops took place on

1 May 22 or 23 when in accordance with the instructions of
2 the corps headquarters I ordered my reconnaissance
3 platoon to cross the Halhin-gol river to its eastern
4 bank and to conduct the reconnaissance in force on the
5 Mongolian territory seized by the Japanese. I gave
6 strict orders to the platoon commander under no circum-
7 stances to cross the state border line.

8 "The reconnaissance platoon went 7-8 kilometers
9 to the east and without hindrance and being 12-13 kilo-
10 meters from the state border line was fired upon by the
11 enemy, surrounded, and fighting broke through the en-
12 circlement and withdrew to the western bank of the
13 Halhin-gol river.

14 "6. On May 25 the 6th Mongolian cavalry
15 division crossed the Halhin-gol river to its eastern
16 bank and took up the defensive position 8-10 kilometers
17 from the state border line. My detachment arrived at
18 the Halhin-gol on May 24, 1939.

19 "On May 26 I, in accordance with orders, put
20 across the river to its eastern bank two mechanized rifle
21 companies, a battery of 45 mm. guns and a few armored
22 cars. On May 27 I transferred our command post to the
23 eastern bank of the Halhin-gol river, about 9-10 kilo-
24 meters from the state border line.

25 "On May 26 and 27 Soviet-Mongolian units had no

1 battle contacts with the Japanese. We thought that the
2 border incident was closed.

3 "7. However, on the night of May 27-28 the
4 Japanese took up the offensive.

5 "It began at about 3 a.m. As I know from the
6 testimony of those taken prisoner the offensive was
7 conducted by a group (which was a part of the 23rd
8 infantry division and Bargut cavalry) under the command
9 of Colonel YAMAWATA, commander of the 64th infantry
10 regiment of the 23rd infantry division.

11 "The group contained a part of the 64th
12 infantry regiment, a reconnaissance detachment of the
13 23rd division under the command of Lieutenant-Colonel
14 AZUMA, a motorized company under the command of Captain
15 KAWANO, the 8th cavalry regiment and the units of the
16 1st and 7th Bargut cavalry regiments.

17 "The Japanese tried to outflank the Soviet
18 troops from the left flank to appear in our rear and get
19 to the Halhin-gol river crossing cutting off our way of
20 retreat.

21 "Regular fighting took place in the course of
22 which my detachment lost 65-70 officers and men. At
23 the end of the day of May 28 a regiment of the 36th
24 rifle division under the command of Major Remizov
25 arrived at the Halhin-gol river. That regiment from the

march was thrown into action.

1 "This day may be considered as the date of the
2 opening of large-scale hostilities on the Halhin-gol
3 river between the Japanese who violated the border and
4 the units of the Soviet army. Prior to May 28 major
5 clashes of regular troops did not take place.

6 "8. I participated with my detachment in
7 further battles and stayed in that area till the
8 cessation of hostilities and the conclusion of truce. As
9 a participant of those battles I can testify that in all
10 the operations I had strict orders not to cross the
11 state border line and those orders were never broken by
12 me.
13

14 "I know that the commanders of other units had
15 similar strict orders. I definitely know that during
16 the hostilities there was not a single case of a border
17 violation on the part of our troops or Mongolian units.

18 "As an eye-witness of the cessation of
19 hostilities I can testify that after the Japanese had
20 been defeated we did not follow them across the border
21 though we had a chance of going forward up to Hailar
22 without encountering resistance. After the cessation of
23 hostilities we took up the defensive along the state
24 border line which remained exactly in the same place in
25 which it had run prior to May 11, 1939.

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"The affidavit is written in my own hand.

"/s/ Major Bykov"

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BY GENERAL VASILIEV (Continued):

1 Q Mr. Witness, do you know the total number
2 of losses suffered by the Japanese side and how do
3 you know that?
4

5 A The total losses suffered by the Japanese
6 troops who participated in the conflict in the
7 Nomongan area amounted to 52-55 thousand. This data
8 is known to me from the analysis made by the -- from
9 the analysis of the fighting operations made by the
10 Commander of the corps in that area, Zhukov, which was
11 done after the end of the hostilities. That analysis
12 was done by unit commanders -- at the conference with
13 unit commanders, and they were informed of the number
14 of the Japanese losses.

15 GENERAL VASILIEV: May the witness be shown
16 exhibit No. 766.

17 (Whereupon, a document was handed to
18 the witness.)

19 Q Will you please take a look at the map attached
20 to this exhibit?
21

22 Have you examined the map?

23 A Yes, I have examined the map.

24 Q Do you know what map it is?

25 A Yes, I know this map. This map was captured
on May 28 from Lieutenant Colonel AZUMA, the Commanding

1 Officer of the reconnaissance detachment of the
2 23rd Division of the Japanese troops. The map
3 was captured by Commanding Officer of the First
4 Platoon of my company, Senior Lieutenant Seminov.
5 It was found in the car which belonged to Lieutenant
6 Colonel AZUMA. The car was put out of action by
7 the battery of self-propelled guns. The same battery
8 of self-propelled guns put out of action two armoured
9 cars, which guarded the headquarters of Lieutenant
10 Colonel AZUMA.

11 THE PRESIDENT: Major Blakeney.

12 MR. BLAKENEY: I think the question has been
13 answered, your Honor. He knows what map it is.

14 Q Mr. Witness, is the border shown on this map
15 correctly, according to the claim of the Soviet-Mongolian
16 side?

17 A The borderline is shown on this map in accordance
18 with the contentions of the Soviet-Mongolian side.

19 Q Thus, the Japanese forces were operating,
20 having in their possession a map which showed that that
21 sector was Mongolian.

22 THE PRESIDENT: That is argument. We do not
23 want that.

24 GENERAL VASILIEV: You may cross-examine.
25

- - -

THE PRESIDENT: Major Blakeney.

CROSS-EXAMINATION

BY MR. BLAKENEY:

Q What were the Soviet and Mongolian losses in Nomongan?

A The losses of Soviet-Mongolian forces amounted to 9 to 9½ thousand.

Q Now, Witness, were there or were there not any Soviet or Mongolian units on the east side of the Halhar River at the time you first came on the scene?

A By the moment of my arrival at the Halhar River there were no Soviet or Mongolian troops in that area.

MR. BLAKENEY: I couldn't understand that.

THE RUSSIAN MONITOR: "...no Soviet or Mongolian troops in that area."

Q And you arrived there when?

A I with my detachment came to the Halhin-gol area on May 24.

Q And from the moment of your arrival, what Soviet or Mongolian forces were on the east bank of the Halhar River?

A When I arrived in that area, there were only my detachment and the 1st Mongolian Cavalry Division in the area of the Harardaba Hill.

1 THE RUSSIAN MONITOR: Correction: "By the
2 moment of my arrival at the west bank of the river,"
3 and instead of "my detachment," "my reconnaissance
4 platoon."

5 Q How large is the Mongolian Cavalry Division?

6 A At that moment the 6th Mongolian Cavalry
7 Division had 250 sabers.

8 Q And how many men in your unit?

9 A My unit consisted of 3 motorized infantry
10 companies, 1 battery of 45-millimeter guns (4 guns),
11 1 battery of self-propelled guns of 76-millimeters
12 (4 guns), 1 battery of 120 millimeter guns (4 guns),
13 a reconnaissance platoon, consisting of 5 armoured cars,
14 1 armored company of 16 armored cars of BA-6 type.

15 THE RUSSIAN MONITOR: Addition: "The model
16 of self-propelled guns was SU-76."

17 Q Now, you have said all that in your affidavit.
18 I want to know how many men there were in your unit.

19 A There were 1200 officers and men in my unit.
20
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1 Q And were those units which we have mentioned,
2 yours and the 6th Mongolian Division, the only troops on
3 the Soviet-Mongolian side in that area at that time?

4 A Yes. In that area there were only my mixed
5 detachment and the 6th Mongolian Cavalry Division.
6 There were no other Soviet or Mongolian units in that
7 area.

8 Q Now, at the time that you visited the border
9 in March -- was it March -- 1939, what units were in
10 that area?

11 A For the first time I was in the area guarded by
12 the 7th Mongolian Border Outpost on the 12th or 13th of
13 March. For the second time I was in the sector guarded
14 by the 7th Mongolian Border Guard Outpost on May 15,
15 1939. Neither when I was there for the first time nor
16 when I was there for the second time were there any
17 Mongolian or Soviet troops in that area, except for the
18 7th Mongolian Border Guard Outpost.

19 Q What was its strength?

20 A Will you please repeat the question? To the
21 strength of what unit are you referring?
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Q I am referring to the strength of the only unit that was in that area when you made your visits in March and May of 1939.

A I repeat for the second time that during my first visit to that area and during my second visit to the same area there was only the Seventh Border Guard outpost of the Mongolian troops, and no other troops were in that area at that time. The Seventh Border Guard outpost consisted of 150 men and officers, or 200 men and officers.

Q Where was its headquarters?

A What headquarters do you mean?

Q I mean the headquarters of the only unit stationed in that area at the time of your visits in March and May of 1939.

A The headquarters of my unit was in the town of Tamsak Bulak, 150 to 200 -- 130 to 150 kilometers west of the Halhin-gol River.

Q You must understand that I am asking you about the headquarters of what you call the Seventh Mongolian Border Guard unit. Where was it?

A Mr. Counsel, the Seventh Border outpost, as well as any other outpost, has no headquarters and has only its commanding officer.

Q Where was he?

A Whom do you mean?

Q I mean the commanding officer.

A You mean the commanding officer of the Seventh Border outpost?

Q Precisely so.

A The commanding officer of the Seventh Border Guard outpost was with his outpost on the western bank of the Halhin-gol River near the lake -- I don't remember the name of the lake.

RUSSIAN MONITOR: With the main forces of his outpost.

Q A big lake or a small one?

A A small lake, not far from the Khamar-Daba Mt.

Q You say that the main force of the outpost was there with the commanding officer. Where was the remainder of it?

A (The witness started to examine papers.)

Q Never mind looking at the map.

A The posts and the patrols of the Seventh Border Guard outpost were on the western bank of the Halhin-gol River. That is on the Mongolian territory. They were along the borderline and that means that they were about 20 or 22 kilometers from the river.

Q Then, the entire border guard unit was on the

western bank of the Halhar River?

1 A I shall repeat again that the main force of
2 the Seventh Border Guard outpost, the outpost which
3 guarded the territory of the Mongolian State Border --
4 of the State Border of the Mongolian People's Republic,
5 was on the west bank of the Halhar River near the
6 Khamar-Daba Mount. As to the posts and patrols of the
7 Seventh Border Guard outpost, they were located on the
8 east side of the Halhar River, about 20 to 25 kilometers
9 east of the river, and they were guarding the Mongolian
10 State Border.

11 Q Now, was it east or west? You said it each way.

12 A Yes, I said before that the main force of the
13 outpost was on the west of the bank, and patrols and
14 posts which were sent out by these outposts were on the
15 eastern bank of the river, 20 to 22 kilometers from the
16 river -- to the east from the river. That is in the
17 area where the Mongolian State borderline runs.

18 Q Was that in March or in May or both?

19 A Both.

20 Q How far east of the river is the Mongolian
21 border, as you understand it?

22 A The Mongolian State border is from 20 to 22
23 kilometers east of the river -- of the Halhar River.

24 Q At the time of your inspection of that area
25

1 in March did you yourself cross to the eastern bank
2 of the Halhar River?

3 A Yes, in March I personally, together with the
4 commanding officer of the Seventh Border Guard outpost,
5 Junior Lieutenant Chogdon, was on the eastern bank of
6 the Halhar River and went along the border.

7 Q Did you at that time visit the various advance
8 outposts of the Seventh Mongolian Border Guard?

9 A At that time I and the commanding officer of
10 the Seventh Border outpost went along the state border,
11 where posts and patrols were located, detailed from the
12 Seventh Border Guard outpost.

13 Q Did you at that time inspect all of those ad-
14 vance patrols?

15 A I had no connection whatsoever to the Seventh
16 Border Guard outpost, and therefore I had no right to
17 inspect it.

18 Q I didn't ask you if you had a right; I asked
19 you if you did it.

20 A I shall repeat once more that I was unable
21 and not entitled to inspect the Seventh Border Guard out-
22 post, since I was a Soviet officer -- since I am a
23 Soviet officer.

24 Q And I repeat once more: Did you visit and
25 inspect those outposts? You can answer that yes or no.

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1 A I answer that I did not inspect the posts
2 and patrols of the Seventh Border Guard outpost, and
3 I was not authorized to do that.
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1 Q Did you visit the places where they were
2 located?

3 A Yes, I and the commanding officer of the out-
4 post went along the border and saw where the posts and
5 patrols guarding the state border were situated -- which
6 guarded the Mongolian state border.

7 Q Would you say that you saw all of them?

8 A I was not interested in the number of posts
9 guarding the state borderline of the Mongolian People's
10 Republic and therefore I do not know whether I saw all
11 of them or not.

12 Q After the fighting started in this area, in
13 May, how long was the front?

14 A The front was from 55 to 70 kilometers long.

15 Q Did the fighting go on only during the daylight
16 hours or did it continue at night?

17 A What period do you have in mind?

18 THE PRESIDENT: You are not asked that. I can
19 think of only one thing, but you do not have to be told
20 what that is.

21 THE WITNESS: The question is not quite clear to
22 me. Will you please repeat it?

23 BY THE PRESIDENT:

24 Q Was there day and night fighting?

25 A Should you specify the period of time, whether

1 it was in May, June, July or August --

2 Q If there was any night fighting, will you state
3 what date?

4 A The first night fighting, or rather at dawn,
5 occurred on May 28.

6 BY MR. BLAKENEY:

7 Q And from time to time thereafter was there
8 night fighting?

9 A Yes, there was some night fighting after May 28,
10 from time to time.

11 Q Did the Soviet and Mongolian forces use air-
12 craft in the course of the fighting at Nomonhan?

13 A In what month?

14 Q In any month.

15 A Yes, the Soviet troops used aircraft.

16 Q Can you estimate how many, at any time?

17 A I cannot tell the number of aircraft participat-
18 ing in fighting.

19 Q What type of aircraft were they?

20 A Fighters and bombers.

21 Q Used against forces of the Japanese and Man-
22 chukuans?

23 A Only against the Japanese and Manchurian forces.

24 Q Were their rear areas attacked?

25 A Will you please clarify what you mean by "rear
areas"?

1 Q Rear headquarters, bases, supply depots, lines
2 of communications.

3 A The aircraft bombed artillery positions and
4 divisional dumps.

5 Q And Japanese airfields?

6 A That I do not know.

7 Q Where is Hailar located from Nomonhan?

8 A Approximately from 120 to 150 kilometers.

9 Q Do you know anything about the attacks on
10 Hailar?

11 A What attacks on Hailar do you mean?

12 Q Any attack.

13 A I mean whether you are referring to land attacks
14 or air attacks.

15 Q Either.

16 A There were neither land attacks nor air attacks
17 on Hailar from the side of the Japanese -- of the Soviet
18 and Mongolian troops.

19 Q Well, then, why did you ask me which kind I am
20 referring to? Where there some other kinds of attacks?

21 A I asked you because I did not understand what
22 you were referring to and I wanted to clarify it.

23 Q How do you definitely know that during the
24 hostilities there was not a single case of a border
25 violation on the part of Soviet or Mongolian troops?

1 A I and my unit were the first engaged in the
2 fighting and we were in that area till the end of the
3 fighting, till the truce between the Soviet-Mongolian
4 side and the Japanese-Manchurian side was signed, and I
5 and all other commanding officers had strict instructions
6 not to trespass or to violate the state borderline of
7 the Mongolia. People's Republic.

8 Q Now, just a minute. I am not interested in
9 your orders. You have already put that in your affi-
10 davit. I want to know how you know this fact which you
11 state so dogmatically.

12 A Will you please give me a chance to finish my
13 reply?

14 Q We don't want that digression or explanation,
15 so please omit anything about your orders and state how
16 you know this fact.

17 A If you wouldn't interrupt me and would give me
18 a chance to finish my reply, then you would understand
19 from what I do know about this fact --

20 SOVIET MONITOR: How I know about this fact.

21 Q Tell us how you know.

22 A I shall repeat again that I participated in
23 the fighting against the Japanese forces from the month
24 of May and until the cessation of hostilities. During
25 the August operation, that is, during the final operation

1 I and my unit belonged to the northern group of troops,
2 and we were outflanking the Japanese on the west. We
3 followed the northern part of the border, and the
4 southern group of forces which outflanked the Japanese
5 from the south did not violate the border either, so
6 neither the northern nor the southern groups ever tres-
7 passed the border -- the state borderline.

8 THE PRESIDENT: We will adjourn until half-
9 past nine tomorrow morning.

10 (Whereupon, at 1600, an adjournment
11 was taken until Wednesday, 28 January 1948,
12 at 0930.)
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